

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
CHRIS AGOLIATI, JERRY GRIGOLI, and :
LOUIS PICCONE, :
: Plaintiffs,
v. :
: :
BLOCK 865 LOT 300 LLC, JOHN AND :
MARLA DIFORTE, CARMEL MCCARTHY, :
and AVERY GROSS, :
: Defendants.
-----X

ORDER

19-CV-5477 (WFK) (TAM)

WILLIAM F. KUNTZ, II, United States District Judge:

On December 17, 2021, this Court issued an order and decision dismissing this action in its entirety. ECF No. 111. On January 7, 2022, Plaintiffs filed a Notice of Appeal to the United States Court of Appeals for the Second Circuit. ECF No. 113. On January 26, 2023, the United States Court of Appeals for the Second Circuit issued a summary order remanding the case “pursuant to the procedures adopted in *United States v. Jacobson*, 15 F.3d 19 (2d Cir. 1994), with instructions for the district court to determine whether there is complete diversity of citizenship between Plaintiffs and Defendants and whether each of the Plaintiffs has satisfied the amount-in-controversy requirements of § 1332 in light of any additional materials the district court permits the parties to submit.” *Agoliati v. Block 865 Lot 300 LLC*, 22-51-cv, slip op. at 5 (2d Cir. Jan. 26, 2023). Consistent with the Second Circuit’s summary order, additional findings of fact regarding (1) the citizenship and domiciles of the parties and (2) whether each Plaintiff has satisfied the amount-in-controversy requirements of § 1332 are respectfully REFERRED to the Honorable Magistrate Judge Taryn A. Merkl for a Report & Recommendation.

SO ORDERED.

S/ WFK

HON. WILLIAM F. KUNTZ, II
UNITED STATES DISTRICT JUDGE

Dated: January 26, 2023
Brooklyn, New York